

DECLARATION OF ANNETTE S. PARENT, Ph.D.

OPPOSITION BY PROTEIN DESIGN LABS, INC.
TO EUROPEAN PATENT 0 125 023 OF GENENTECH, INC.

I, Annette S. Parent, Ph.D. declare and state as follows:

1. I am an attorney at law and a member of the California State Bar. I have been assigned to investigate the public availability of U.S. government research grants funded by the National Institutes of Health (hereinafter "NIH"). This declaration addresses the issue of how grant applications are indexed and filed at the NIH.
2. During my investigation I called the NIH and was referred to Bill Wells, Section Chief in the Grants Administration Branch of the Office of Administrative Management for the National Cancer Institute (hereinafter "NCI"), NIH. I asked Mr. Wells how grant applications were indexed and filed at the NIH. Mr. Wells told me that at the NIH, grant applications are indexed using a database called the "IMPAC System," and that he has worked with this system since 1979. When a grant application is submitted to the NIH, information such as the principal investigator, grant application number, investigator's institution, grant application title, and NIH institute (e.g., the NCI) is input into this database. This information is then used to track the grant application through the funding process. For example, when a grant is funded, the funding date is added to the information in the IMPAC System.
3. Mr. Wells also told me that in addition to the information in the IMPAC System, after a grant application is submitted to the NIH, paper copy of the grant application is filed according to grant application number in the Grants Administration Branch for the relevant NIH institute.
4. Mr. Wells told me that information in the IMPAC System can be used to identify and locate the filed paper copy of the grant application. For example, the principal investigator's name, investigator's institution, or grant title could be used to cross-reference and

identify the specific grant application number. In this way, the grant application file containing the paper copy of the grant application can be identified. For example, if a funded grant was requested under the Freedom of Information Act (hereinafter "FOIA") using the investigator's name or the title of the grant application, the NCI FOIA office or NIH FOIA office could use the IMPAC System to identify the specific grant application number and therefore the specific grant application file.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: 3/26/97

By: Annette S. Parent Ph.D.
Annette S. Parent, Ph.D.